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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ji et al.

Appl. No. 09/017,715

Filed: February 3, 1998

For: **Breast Cancer Specific Gene 1**

Confirmation No. 8739

Art Unit: 1642

Examiner: Canella, K.

Atty. Docket: 1488.0810003/EKS/PSC

Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1)

Commissioner for Patents
Washington, D.C. 20231

Sir:

It is hereby requested that the period for replying to the outstanding Office Action be extended one (1) month from August 7, 2002 to September 7, 2002 by the filing of this Petition and fee payment.

The petition fee (37 C.F.R. § 1.17(a)) is believed to be \$110.00 for a one (1) month extension for a large entity. Fee payment is provided in our accompanying check no. 36185. However, if extensions of time under 37 C.F.R. § 1.136 other than those provided herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

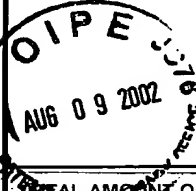
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Eric K. Steffe
Attorney for Applicants
Registration No. 36,688

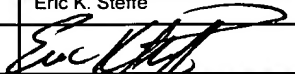
Date: 8/9/02

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

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 <h2 style="margin: 0;">FEE TRANSMITTAL for FY 2002</h2> <p style="margin: 0;">Patent fees are subject to annual revision.</p>		Complete if Known	
TOTAL AMOUNT OF PAYMENT (\$) 110.00		Application Number 09/017,715 Filing Date February 3, 1998 First Named Inventor Ji et al. Examiner Name Canella, K. Group Art Unit 1642 Attorney Docket No. 1488.0810003/EKS/PSC	

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																																																																																																																																																						
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Deposit Account Number</td> <td>19-0036</td> </tr> <tr> <td>Deposit Account Name</td> <td>Sterne, Kessler, Goldstein & Fox P.L.L.C.</td> </tr> </table> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other*</p> <p><small>*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.</small></p>	Deposit Account Number	19-0036	Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.	<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large</th> <th>Entity</th> <th>Small</th> <th>Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr><td></td><td></td><td></td><td></td><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td>\$110.00</td></tr> <tr><td></td><td></td><td></td><td></td><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>123</td><td>130</td><td>123</td><td>130</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>581</td><td>40</td><td>481</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table> <p>Other fee (specify) : _____</p> <p>Other fee (specify) : _____</p> <p>*Reduced by Basic Filing Fee Paid</p>	Large	Entity	Small	Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid					105	130	205	65	Surcharge - late filing fee or oath						127	50	227	25	Surcharge - late provisional filing fee or cover sheet						139	130	139	130	Non-English specification						147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination						112	920*	112	920*	Requesting publication of SIR prior to Examiner action						113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action						115	110	215	55	Extension for reply within first month	\$110.00					116	400	216	200	Extension for reply within second month						117	920	217	460	Extension for reply within third month						118	1,440	218	720	Extension for reply within fourth month						128	1,960	228	980	Extension for reply within fifth month						119	320	219	160	Notice of Appeal						120	320	220	160	Filing a brief in support of an appeal						121	280	221	140	Request for oral hearing						138	1,510	138	1,510	Petition to institute a public use proceeding						140	110	240	55	Petition to revive - unavoidable						141	1,280	241	640	Petition to revive - unintentional						142	1,280	242	640	Utility issue fee (or reissue)						143	460	243	230	Design issue fee						144	620	244	310	Plant issue fee						122	130	122	130	Petitions to the Commissioner						123	130	123	130	Petitions related to provisional applications						126	180	126	180	Submission of Information Disclosure Stmt						581	40	481	40	Recording each patent assignment per property (times number of properties)						146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))						149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))						179	740	279	370	Request for Continued Examination (RCE)						169	900	169	900	Request for expedited examination of a design application	
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Eric K. Steffe	Registration No. (Attorney/Agent)	36,688
Signature		Telephone	202-371-2600
		Date	8/9/02

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